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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,486	03/11/2005	Hodaka Irikuchi	SONY JP 3.3-345	4494
530 7590 12/09/2009 LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090				
EXAMINER				
TEKLE, DANIEL T				
ART UNIT		PAPER NUMBER		
2621				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/500,486

Applicant(s)

IRIKUCHI ET AL.

Examiner

DANIEL TEKLE

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 11 and 12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 11 and 12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/GS/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claim 1-4, 11 and 12 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1-4, 11 and 12 rejected under 35 U.S.C. 103(a) as being unpatentable over Yap et al. (US 20020092021), and further in view of Kim et al. (US 6,405,372).

Regarding Claim 1: Yap et al. discloses a recording/reproducing apparatus, comprising: at least two channel selecting mechanisms for taking in television signals on plural channels including a television signal on a program guide providing channel (**paragraph 0087 and 0096**), in that an electronic program guide has been stored at a predetermined timing (**paragraph 0047**), and selecting the television signal on a desired channel in the above plural channels (**paragraph 0047**); at least two signal processing mechanisms for performing predetermined processing to television signal on desired channel selected by each of channel selecting mechanisms (**paragraph 0087**); electronic program guide extracting mechanism for extracting electronic program guide from television signal on program guide providing channel selected by channel selecting mechanism (**paragraph 0011-12**); switching mechanism for switching connections of

channel selecting mechanisms to signal processing mechanisms and electronic program guide extracting mechanism (**paragraph 0056**); and further Kim et al. discloses control mechanism for controlling switching mechanism so that in a first operating case the signal processing mechanisms are collectively connected to one of channel selecting mechanisms and the electronic program guide extracting mechanism is connect to another one of channel selecting mechanisms so as to permit (i) a plurality of predetermined different processing to be simultaneously performed on the same television signal on desired channel by use of each of signal processing mechanisms and (ii) electronic program guide to be obtained from television signal by electronic program guide extracting mechanism (**column 3 lines 39-67**).

It would have been obvious to one ordinary skill in the art at the time of the invention was made to combine Kim et al. invention into Yap et al. invention in order to update EPG information in a digital TV receiver.

Regarding Claim 2: Yap et al. and Kim et al. discloses a recording/reproducing apparatus according to claim 1, wherein; further Yap et al. discloses in the case where in providing of electronic program guide, a plurality of predetermined different processing is simultaneously performed to television signal on program guide providing channel in each of signal processing mechanisms (**paragraph 0087**), control mechanism controls said switching mechanism so that the above plural signal processing mechanisms and electronic program guide extracting mechanism are collectively connected to one of plural channel selecting mechanisms (**paragraph 0090**).

Regarding Claim 3: Yap et al. and Kim et al. discloses a recording/reproducing apparatus according to claim 1, wherein: further Yap et al. discloses a recording medium for storing television signal subjected to predetermined processing by each of signal processing mechanisms is included (**paragraph 0136**); and each of signal processing mechanisms simultaneously performs compressively coding processing to one television signal on desired channel selected by one of channel selecting mechanisms at a different compression rate, respectively (**paragraph 0076**), and said television signals compressively coded at the above different compression rates are recorded in said recording medium (**paragraph 0076**).

Regarding Claim 4: Yap et al. and Kim et al. discloses a recording/reproducing apparatus according to claim 1, wherein: further Yap et al. discloses a recording medium for storing television signal subjected to predetermined processing by each of signal processing mechanisms is included (**paragraph 0136**); and plural signal processing mechanisms simultaneously perform processing for viewing or respectively different compressively coding processing to one television signal on desired channel selected by one of channel selecting mechanisms (**paragraph 0076**), and television signals subjected to the above compressive coding in the above processing for viewing and compressively coding processing, are recorded in recording medium (**paragraph 0076**).

Regarding Claim 11: Yap et al. discloses a recording/reproducing apparatus comprising: two channel selecting mechanisms for taking in television signals on plural channels including program guide providing channel (**paragraph 0087 and 0096**), and

selecting a television signal or signals therefrom first signal processing mechanism and a second signal processing mechanism each for performing a respective predetermined processing on a received television signal supplied thereto such that the first signal processing mechanism is operable to perform a first predetermined processing and the second signal processing mechanism is operable to perform a second predetermined processing which is different from the first predetermined processing (**paragraph 0087 and 0091-0094**); electronic program guide extracting mechanism for extracting said electronic program guide from program guide providing channel (**paragraph 0056**); switching mechanism for switching connections of channel selecting mechanisms to the first and second signal processing mechanisms and said electronic program guide extracting mechanism (**paragraph 0056 and 0091-0094**); and further Kim et al. discloses control mechanism for controlling switching mechanism such that in a first operating case the first and second signal processing mechanisms are connected to a same one of channel selecting mechanisms and the electronic program guide extracting mechanisms is connected to another one of channel selecting mechanisms so as to enable (i) the first signal processing mechanism and the second signal processing mechanism to receive a same one of television signals and to cause the first predetermined processing and the second predetermined processing to be simultaneously performed on the same one of television signal, and (ii) electronic program guide to be obtained by electronic program guide extracting mechanism, first predetermined processing involves compressive coding at a first compression rate and second predetermined processing involves compressive coding at a second

compression rate which is different from the first compression rate (column 3 lines 39-67).

It would have been obvious to one ordinary skill in the art at the time of the invention was made to combine Kim et al. invention into Yap et al. invention in order to update EPG information in a digital TV receiver.

Regarding Claim 12: Claim 12 are rejected for the same subject matter as claim 1.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **DANIEL TEKLE** whose telephone number is (571)270-

1117. The examiner can normally be reached on 7:30am to 5:00pm M-R and 7:30-4:00
Every other Friday..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on 571-272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Marsha D. Banks-Harold/
Supervisory Patent Examiner, Art Unit 2621

/Daniel Tekle/
Examiner, Art Unit 2621